

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
GREENEVILLE DIVISION**

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**IN RE SOUTHEASTERN MILK  
ANTITRUST LITIGATION**

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**Master File No. 2:08-MD-1000**

**Judge J. Ronnie Greer  
Magistrate Judge Dennis H. Inman**

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**THIS DOCUMENT RELATES TO:**  
*Food Lion, LLC, et al. v. Dean Foods  
Company, et al., Case No. 2:07-CV-188.*

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**DEFENDANTS' SUPPLEMENTAL MOTION FOR  
SUMMARY JUDGMENT AS TO COUNTS I AND V**

Defendants Dean Foods Company, Dairy Farmers of America, Inc., and National Dairy Holdings, LP hereby move for summary judgment as to Counts I and V. The grounds for this motion are explained in detail in the accompanying memorandum.

Respectfully submitted,

Dated: September 27, 2010

/s/ Paul H. Friedman

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 27th day of September, 2010, a copy of the foregoing Defendants' Supplemental Motion for Summary Judgment as to Counts I and V was filed and served on all counsel of record via operation of the CM/ECF system for the United States District Court for the Eastern District of Tennessee.

/s/ Paul H. Friedman

Paul H. Friedman